

**CONCORD CONSERVATION COMMISSION**  
**MINUTES**  
**Regular Meeting**  
**April 14, 2010**

**Community Development Conference Room**  
**41 Green Street, Concord, NH**

**Attendance:**

Members present at the meeting included: Christopher Morgan; Jim Owers; Jan McClure; Tracey Boisvert; Rick Chormann; Jeff Belanger; Kristine Tardiff; and Pamela Hunt. Doug Woodward, City Planner, and Rebecca Hebert, Planner, also attended the meeting.

C. Morgan, Chairman, called the meeting to order at 7:15.

**1. Election of Officers:** K. Tardiff moved to nominate Christopher Morgan as chair and Jim Owers as vice chair. The motion was duly seconded and unanimously approved.

**2. Minutes:** The group reviewed the minutes of the March meeting. K. Tardiff moved to accept the minutes of the March 10, 2010 meeting; P. Hunt seconded the motion; motion passed unanimously and the minutes were adopted.

**3. Wetlands Bureau:**

a. Application of David and Laurie Rauseo on behalf of Susan Whitney – Laurie Rauseo of Interchange Development, LLC provided an overview of the project. She explained that the site is located off of Whitney Road to the south of Hoit Road. The land is located in the Industrial District and Urban Commercial District. The parcel was rezoned a few years ago to allow for the commercial uses. She explained that Peter Schauer has delineated the wetlands on the property, and will be completing the wetlands permitting, and Northpoint Engineering is doing the site design. Laurie Rauseo said the project involves filling a wetland area and creating a series of drainage swales to relocate the wetland. She explained that the wetland was created from the runoff from Hoit Road (Route 4) and is a very low value wetland. The water flow across the property and then across Whitney Road to another wetland. The fill is approximately 6,852 sq. ft. The plan is to construct a gas station on the property across from Concord Crossing. They have also filed a lot line adjustment to make the parcel a little bit smaller. Laurie Rauseo said the gas station user does not want to purchase more land than necessary.

C. Morgan asked if the site has the same amount of pavement, given the large size of the property, or more pavement than a typical gas station. L. Rauseo explained that the gas station would have a diesel fueling station and would serve the tractor trailer trucks that deliver trash to the Wheelabrator facility. The Commission asked if the driveway location could move to minimize the wetland impacts. L. Rauseo explained that the end user is very concerned about the convenience of the driveway location and would not be agreeable to moving the driveway farther away from the Whitney Road/Route 4 intersection. She explained that they would ideally like a driveway off of Route 4, but this is a restricted access state highway and the driveway would not be permitted. The Commission decided not to schedule a site walk, but members agreed to stop by the site on their own time.

b. Correspondence - R. Hebert reviewed correspondence from the NHDES Wetlands Bureau, including seven Notifications of Routine Roadway and Railway Maintenance Activities involving the replacement of culverts along Currier Road; a notice of approval for a wetlands permit at St. Paul's School; and a public notice for the Draft Turtle Pond Nutrient TMDL Report along with a copy of the report.

### **3. Open Space:**

a. Public Hearing relative to a proposed disbursement from the Conservation Fund for the payment of one year's principal and interest for the general obligation bonds used to acquire open space –

C. Morgan opened the public hearing at 7:30. D. Woodward explained that the City Council has asked the Commission to make one year's payment on the interest and principal for the bonds used to acquire open space. FPAC discussed a payment of \$100,000, but the actual payment for the fiscal year 2011 will be \$97,933. The following motion was made regarding the disbursement of funds from the Conservation Fund:

In response to the request by the City Council on March 8, 2010, made as a result of the unusually difficult financial times faced by the City, the Concord Conservation Commission, pursuant to its authority and for the purposes so specified in RSA: 36-A, and after a duly noticed public hearing on this date, hereby approves a one-time allocation for the fiscal year 2011 of \$97,933 from the Conservation Fund, using the accumulated proceeds of the Use Change Tax. The payment represents one year's principal and interest for the general obligation bonds used to acquire the City's interest in conservation land on West Locke Road and Hopkinton Road. The Conservation Commission understands and agrees that this is a one-time action which will not be repeated in the future. The Commission hopes the City Council will consider restoring this amount to the Conservation Fund in the future. J. Owers moved to approve the motion; K. Tardiff seconded the motion with reluctance. Motion passed 6-1; J. McClure opposed.

c. Public Hearing relative to a proposed disbursement from the conservation fund for the acquisition of a parcel of open space land located southwesterly of Morono Park and northerly of Clarke Street –

C. Morgan opened the public hearing at 8:00. R. Hebert provided an overview of the property. She explained the land is located off of Clarke Street and abuts Morono Park. The property contains approximately 5.9 acres, and the land is being acquired by the City as part of a settlement for damage done to the owner's land during the Mother's Day storm. D. Woodward explained that the land will most likely be purchased by the City and then the Commission will then reimburse the City from the Conservation Fund. The land will provide a trail connection to Morono Park from North State Street. R. Hebert said that the land adjacent to Clarke Street has a lot of garbage and debris and there is an exposed sewer pipe. The Commission discussed the problem of illegal dumping, and also talked about possible locations for a parking area.

C. Morgan opened the hearing to the public for comments. Phyllis Mackown of 19 Clarke Street, asked how the City planned to control the dumping and also asked for what purposes would the land be used. The Commission explained that the land would be used for hiking and other passive recreational activities. A gate or guard rail may need to be installed to control the dumping off of Clarke Street. Dorothy and Arthur Chicaderis

explained that they lived across the street from the property and were concerned about trash. D. Woodward explained that the City would need to post the property with no dumping signs and the General Services Department would clean up the trash. They asked about the dumping of lawn clippings and leaves. The Commission felt that this typically is not allowed on other people's land, and would not be allowed on city-owned land either. They also asked where people would park to use the trail. They heard that the on-street parking along North State Street was being eliminated and there would not be room to park on Clarke Street. The Commission explained that Morono Park has a larger parking area, and most people will continue to drive to the main entrance off of Second Street. The Clarke Street trail will be primarily for people who already live in the neighborhood. There is also a small pull-out off of Clarke Street that would be suitable for 2-3 cars. They also asked who would fund the trail construction. The Commission explained that the trail construction would be funded through Forestry Trust Fund. The following motion was made regarding the acquisition of land off of Clarke Street:

The Conservation Commission, pursuant to its authority and for the purpose so specified in RSA 36-A, and after a duly noticed public hearing on this date, hereby exercises its authority to acquire in the name of the City of Concord, subject to the approval of the Concord City Council, the following property:

Parcels now or formerly owned by Reino Elgland, referred to in the City's Tax Assessment records as Tax Map Lot #72A/3/8, and described in deeds recorded at the Merrimack County Registry of Deeds at Book 1181, Page 0087; consisting of approximately 5.9 acres of land with frontage on Clarke Street in Concord.

The transaction shall be subject to the following conditions:

1. That the trash and debris now deposited upon the premises be removed from the property prior to the disbursement from the Conservation Fund; and
2. That the Conservation Commission reserves the right to convey a conservation easement to a local or statewide conservation organization as a means of ensuring the permanent protection of said parcel.

Furthermore, the Concord Conservation Commission hereby allocates no more than the sum of \$11,000 from the Conservation Fund using the accumulated proceeds of the Use Change Tax. The Concord Conservation Commission hereby declares its purposes in taking these actions to acquire this property, as an addition to Morono Park, and allocates the funding for the same. The purposes are to maintain, improve, protect, limit the future use of, and otherwise conserve and properly utilize this property as open space together with other land and water resources within the City.

J. McClure moved to adopt the motion; R. Chormann seconded the motion and the motion was unanimously adopted.

**Wetlands Bureau (continued):** The Commission also reviewed a Notification of Trail Development or Maintenance Activities for the improvement to a wetland crossing at the Currier Road property. R. Hebert explained that the Bow Pioneers Snowmobile Club is proposing to improve a crossing with the installation of two culverts set in crushed stone. The crushed stone will be topped with a gravel surface for walking. She explained that this is the DES preferred method for crossing wetlands of this type. The club has

designed the crossing to provide a drier surface for hikers during non-winter months and is also proposing to install a gate at Currier Road. J. Owers moved to support the wetlands permit; T. Boisvert seconded the motion; the motion passed unanimously.

**Open Space (continued):**

d. Request to trap beavers off of West Locke Road – R. Hebert explained that Bill Bailey has submitted a letter to the Commission requesting permission to trap beavers off of West Locke Road. The trapping requires a state permit, which also needs to be authorized by the land owner. The Commission discussed the need to control the beaver population at this location; the roadway is frequently flooded due to the beaver activity. R. Hebert said that last summer Ron Klemarczyk installed a beaver box to help control the flooding. She also said the Commission has had concerns about conflicts between dog walkers and hikers and trapping activity. The Commission suggested posting a notice at the trailhead and possibly along the shoreline near the road to warn people of the trapping.

e. R. Hebert explained that the Commission has received a letter from John Wallace offering his services for conservation stewardship and easement monitoring.

f. Conservation projects – C. Morgan reported that the Open Space Subcommittee met on March 31.<sup>st</sup> The group discussed on-going conservation projects, and decided to hold another open space subcommittee meeting on April 28<sup>th</sup>. C. Morgan also reported that he spoke with the Wolcotts regarding a trail easement across their property, along the discontinued Concord – Claremont railroad bed. The Wolcotts are interested in exchanging a trail easement for logging access across city-owned land. C. Morgan suggested that the Commission have Ron Klemarczyk meet with the Wolcotts to discuss the possible logging access.

g. CTAP Grant – R. Hebert provided an update on the CTAP grant; Central New Hampshire Regional Planning Commission received eight responses to the RFQ. The selection committee will be meeting on Monday to choose a consultant.

**5. Reports:**

a. Upper Merrimack River Local Advisory Committee - Wild and Scenic River designation – The Commission discussed the status of the Wild and Scenic River designation. R. Hebert reported that all of the communities along the upper Merrimack have voted in support of the designation. The Commission agreed to finalize their thoughts on this matter at the next regular meeting in May, with intention of forwarding a report to the City Council in June. They felt it would be important to hold an educational session with the Council prior to the public hearing.

Meeting adjourned at 9:45 PM.

A TRUE RECORD ATTEST:  
Rebecca W. Hebert  
Planner, Secretary pro-tem